

**CITY COUNCIL MEETING
SEPTEMBER 3, 2002**

Date & Time	On the 3 rd day of September A.D., 2002, the City Council of the City of Fort Worth, Texas, met in regular session at 7:04 p.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:
Attendance	Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. With more than a quorum present, the following business was transacted.
Invocation	The invocation was given by Reverend Ken McIntosh, Tarrant Area Community of Churches.
Pledge	The Pledge of Allegiance was recited.
Minutes	On motion of Council Member Lane, seconded by Council Member Moss, the minutes of the regular meeting of August 27, 2002 were approved unanimously.
Announcements	<p>Council Member Moss announced that he drove from Fort Worth to Centerport last weekend on the newly opened Trinity Boulevard. He added that persons within Centerport can now drive all the way back into Fort Worth without having to go outside the city limits and that potential for development in this area was significant. He further stated that he went to the Dunbar High School kickoff football game in San Antonio and congratulated Dunbar on their victory.</p> <p>City Manager Jackson recognized Mr. Robert Goode, newly appointed Transportation/Public Works Director.</p>
Continued/ Withdrawn By Staff	City Manager Jackson requested that Mayor and Council Communication No. L-13389 be continued until September 24, 2002.
Consent Agenda	On motion of Council Member Silcox, seconded by Mayor Pro tempore McCloud, the consent agenda was adopted unanimously.
Res. #2865 FY 2002-2003 Tarrant County 9-1-1 Emergency Assistance District Budget	There was presented Resolution No. 2865 approving the Fiscal Year 2002-2003 Tarrant County 9-1-1 Emergency Assistance District Budget. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

**OCS-1303
Claims**

There was presented Mayor and Council Communication No. OCS-1303 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance/Risk Management Department. It was the consensus of the City Council that the recommendation be adopted.

**G-13715
Reallocate
Funds for
Handley Model
Blocks Program**

There was presented Mayor and Council Communication No. G-13715 from the City Manager recommending that the City Council:

1. Authorize the City Manager to reallocate \$729,111.00 in FY2002 Home Investment Partnerships Program (HOME) funds, and \$470,889.00 in Year XXVIII Community Development Block Grant (CDBG) funds for a total of \$1,200,000.00 to the Handley Model Blocks Program as follows:
 - a) Reallocate \$729,111.00 in FY2002 HOME funds to the Handley Home Improvement Program; and
 - b) Reallocate \$459,768.00 in Year XXVIII CDBG funds to the Handley Street Reconstruction Program; and
 - c) Reallocate \$6,150.00 in Year XXVIII CDBG funds to the Handley Streetlight Installation Program; and
 - d) Reallocate \$4,971.00 in Year XXVIII CDBG funds to the Handley Tree Replacement Program; and
2. Amend the 2002 Consolidated Plan to reflect the above reallocation of CDBG and HOME funds; and
3. Authorize the City Manager to reallocate Handley Model Blocks funds, if necessary, to achieve Handley revitalization goals, provided the reallocation is in compliance with applicable laws and regulations.

It was the consensus of the City Council that the recommendation be adopted.

**G-13716
Reallocate
CHDO Funds**

There was presented Mayor and Council Communication No. G-13716 from the City Manager recommending that the City Council:

1. Approve the reallocation of \$130,000.00 in HOME Community Housing Development Organization (CHDO) Funds as follows:

- **\$50,000.00 in 1997 and 1999 HOME CHDO Support Funds for the United Riverside Rebuilding Corporation (URRC); and**
 - **\$50,000.00 in 2001 HOME CHDO Support Funds for Polytechnic Community Development Corporation (PCDC); and**
 - **\$30,000.00 in 1997, 1999, 2001 and 2002 HOME CHDO Predevelopment Loan Funds for the PCDC; and**
2. **Authorize the City Manager to execute contracts with the URRC, not to exceed \$50,000.00 and with PCDC, not to exceed a combined total of \$80,000.00 as described above; and**
 3. **Authorize a contract performance review for a period up to 12 months to begin on the date of contract execution; and**
 4. **Authorize the City Manager to amend the contracts, if necessary, to achieve project goals provided that the amendment is within the scope of the project and in compliance with applicable laws and regulations.**

It was the consensus of the City Council that the recommendation be adopted.

**G-13717
Res. #2866
Payment to
Vince Cruz to
Represent Todd
Cox in Lawsuit –
Clennon Moore,
Individually and
as Executor of
Estate of James
A. Moore,
Deceased**

There was presented Mayor and Council Communication No. G-13717 from the City Manager recommending that the City Council adopt Resolution No. 2866 authorizing the payment of attorney's fees to Vince Cruz to represent firefighter Todd Cox in the lawsuit entitled Clennon Moore, Individually and as Executor of the Estate of James A. Moore, Deceased, and Dorothy J. Moore vs. Guardian Protection Services, Inc., et al, Cause No. 17-188992-01 for an amount not to exceed \$50,000.00 for services rendered. It was the consensus of the City Council that the recommendation be adopted.

**G-13718
Res. #2867
Payment to D.
Lee Thomas to
Represent David
Soto in Lawsuit -
Clennon Moore,
Individually and
as Executor of
Estate of James
A. Moore,
Deceased**

There was presented Mayor and Council Communication No. G-13718 from the City Manager recommending that the City Council adopt Resolution No. 2867 authorizing the payment of attorney's fees to D. Lee Thomas to represent firefighter David Soto in the lawsuit entitled Clennon Moore, Individually and as Executor of the Estate of James A. Moore, Deceased, and Dorothy J. Moore vs. Guardian Protection Services, Inc., et al, Cause No. 17-188992-01, in an amount not to exceed \$50,000.00 for services rendered. It was the consensus of the City Council that the recommendation be adopted.

**G-13719
Ord. #15218
Parking Spaces
on East Side of
Westridge
Avenue and
North Side of
Milburn Street**

There was presented Mayor and Council Communication No. G-13719 from the City Manager recommending that the City Council adopt Ordinance No. 15218 creating fifteen (15) head-in parking spaces at the property located at 3500 and 3600 Westridge Avenue and twelve (12) head-in parking spaces at the property located at 6000 Milburn Street subject to certain conditions and requirements provided. It was the consensus of the City Council that the recommendation be adopted.

**G-13720
Settlement of
Claims – City of
Fort Worth v.
Jack Walters
and Wife, Hassie
B. Walters, Case
No. 2001-
005242-2**

There was presented Mayor and Council Communication No. G-13720 from the City Manager recommending that the City Council:

1. Approve the proposed settlement of the claims of Jack Walters and Hassie B. Walters in Case No. 2001-005242-2; and
2. Authorize the payment of \$56,232.00 to Jack Walters and Hassie B. Walters in settlement of this case with the check made payable to Jack Walters and Hassie B. Walters; and
3. Authorize the appropriate City representatives to execute the documents necessary to complete the settlement.

It was the consensus of the City Council that the recommendation be adopted.

**G-13721
Ord. #15219
Grant to
NCTCOG for
Recycling
Education
Program**

There was presented Mayor and Council Communication No. G-13721 from the City Manager recommending that the City Council:

1. Authorize the City Manager to submit a grant application to the North Central Texas Council of Governments (NCTCOG) for the purpose of funding the printing of activity books for two recycling education programs for the Environmental Management Department in the amount of \$8,500.00; and

- 2. Authorize the City Manager to accept and execute the NCTCOG grant contract, if awarded; and**
- 3. Authorize the use of \$1,200.00 in personnel services from the General Fund as in-kind match for this grant; and**
- 4. Adopt Appropriation Ordinance No. 15219 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$9,700.00 upon receipt of the grant, for the purpose of funding two recycling education programs for the Environmental Management Department.**

It was the consensus of the City Council that the recommendation be adopted.

**G-13722
Ord. #15220
Sewer Per Acre
Charge for
Sewer Main M-
591 Near Haslet
Roanoke Road**

There was presented Mayor and Council Communication No. G-13722 from the City Manager recommending that the City Council adopt Ordinance No. 15220 and boundary map adopting a per acre charge for 1393 acres served by approach Sewer Main 591* from Sta. 0+00 to Sta. 112+89.91 near Haslet Roanoke Road, the last date of assessment to be ten years from the approval date of this ordinance, with reimbursement to Harvest Ridge, L.P., a Fourth Decade Partnership, for per acre charges collected. It was the consensus of the City Council that the recommendation be adopted.

**G-13723
Ord. #15221
Accept Funds
from TDHCA for
Community
Services Block
Grant**

There was presented Mayor and Council Communication No. G-13723 from the City Manager recommending that the City Council:

- 1. Authorize the City Manager to accept funds in the amount of \$87,189.00 from the Texas Department of Housing and Community Affairs (TDHCA) through December 31, 2002, increasing the fiscal year 2002 Community Services Block Grant (CSBG) allocation from \$1,029,100.00 to \$1,116,289.00; and**
- 2. Adopt Appropriation Ordinance No. 15221 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$87,189.00 for the purpose of increasing the fiscal year 2002 Community Services Block Grant allocation; and**

3. Apply indirect costs at a rate of 26.19 percent, which represents the most recently approved rate for this department, and apply the new, approved rate when available.

It was the consensus of the City Council that the recommendation be adopted.

**G-13724
Ord. #15222
Accept Funds
from TDHCA for
Comprehensive
Energy
Assistance
Program**

There was presented Mayor and Council Communication No. G-13724 from the City Manager recommending that the City Council:

1. Authorize the City Manager to accept funds in the amount of \$547,333.00 from the Texas Department of Housing and Community Affairs (TDHCA) through December 31, 2002, increasing the Fiscal Year 2002 Comprehensive Energy Assistance Program (CEAP) allocation from \$665,405.00 to \$1,212,738.00; and
2. Adopt Appropriation Ordinance No. 15222 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$547,333.00 for the purpose of increasing the Fiscal Year 2002 Comprehensive Energy Assisted Program allocation; and
3. Apply indirect costs at a rate of 26.19 percent, which is the most recently approved rate for this department, and apply the new, approved rate when available.

It was the consensus of the City Council that the recommendation be adopted.

**G-13725
Ord. #15223
Accept Wal-Mart
Grant Opening
Grant for Illegal
Dumping
Program**

There was presented Mayor and Council Communication No. G-13725 from the City Manager recommending that the City Council:

1. Authorize the City Manager to accept a Wal-Mart Grand Opening Environmental Grant in the amount of \$500.00 for the Illegal Dumping Program; and
2. Adopt Appropriation Ordinance No. 15223 increasing estimated receipts and appropriations in the Solid Waste Fund up to \$500.00 for Fiscal Year 2001-2002, upon receipt of the grant from Wal-Mart, for the purpose of funding the Illegal Dumping Program.

Council Member Silcox made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

- G-13726**
Endorse
Proposed
Master Plan for
Log Cabin
Village
- There was presented Mayor and Council Communication No. G-13726 from the City Manager recommending that the City Council endorse the proposed Master Plan for the Log Cabin Village. Council Member Davis made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.
- P-9660**
Turbo Water
Meters, Parts
and Repair
Service
- There was presented Mayor and Council Communication No. P-9660 from the City Manager recommending that the City Council authorize a purchase agreement with Invensys Metering Systems for turbo water meters, parts and repair service for the Water Department based on the low overall bid of unit prices with payments due 30 days from the date of invoice and the freight cost included in the bid; and authorize this agreement to begin September 3, 2002, and expire August 31, 2003, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.
- P-9661**
Graffiti
Abatement
- There was presented Mayor and Council Communication No. P-9661 from the City Manager recommending that the City Council authorize an annual purchase agreement with Real Estate Restoration & Construction, Inc. for graffiti abatement for the Parks and Community Services Department with payment due ten days after approval of work; and authorize this agreement to begin September 30, 2002, and expire September 29, 2003, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.
- P-9662**
Lab Testing of
Diesel &
Unleaded Fuel
Storage Tanks
- There was presented Mayor and Council Communication No. P-9662 from the City Manager recommending that the City Council authorize a purchase agreement with Certified Labs for lab testing of diesel and unleaded fuel storage tanks; and authorize this agreement to begin September 3, 2002, and expire September 2, 2003, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.
- P-9663**
Storage Area
Network System
- There was presented Mayor and Council Communication No. P-9663 from the City Manager recommending that the City Council authorize the purchase of a Storage Area Network System from Dell Computer Corporation at a cost not to exceed \$224,868.00 for the Information Technology (IT) Solutions Department; and authorize the City Manager to execute a master agreement with

Dell Government Leasing and Finance, Inc. for tax exempt conditional sale financing for the IT Solutions Department; and authorize the tax exempt conditional sale financing of the Storage Area Network System from Dell Government Leasing and Finance, Inc. for a cost not to exceed \$22,362.00, for a total three-year cost of \$247,230.00 (equipment, software and financing) for the IT Solutions Department. It was the consensus of the City Council that the recommendation be adopted.

**L-13367
Cancel Lake
Worth Lease
with Jeff
Leathers & Patti
Briggs**

There was presented Mayor and Council Communication No. L-13367, dated July 30, 2002, from the City Manager recommending that the City Council approve the cancellation of the 50-year lease with Jeff Leathers and Patti Briggs for City-owned property located at 8336 Shoreview Drive (Lot 17R, Block 31, Lake Worth Lease Survey). Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**L-13369
Continued Until
September 24,
2002**

It was the consensus of the City Council that Mayor and Council Communication No. L-13369, dated August 20, 2002, Adoption of a Joint Resolution and Agreement with the City of Aledo to Apportion Overlapping Extraterritorial Jurisdiction, to Release Land Located in the Extraterritorial Jurisdiction of Fort Worth to the City of Aledo, and to Accept Land Released from the Extraterritorial Jurisdiction of Aledo, be continued until September 24, 2002.

**L-13393
Permanent
Utility Easement**

There was presented Mayor and Council Communication No. L-13393 from the City Manager recommending that the City Council approve the acceptance of one permanent utility easement described as A-546, T. Freeman Survey, Tarrant County, Texas, from The Estates of Eagle Mountain located west of Boat Club Road, south of Eagle Ranch Boulevard (DOE 3556) needed to provide a water line installation to serve Eagle Ranch Business Park for a cost of \$1.00. It was the consensus of the City Council that the recommendation be adopted.

**L-13394
Release &
Abandon
Sanitary Sewer
Easement**

There was presented Mayor and Council Communication No. L-13394 from the City Manager recommending that the City Council release and abandon a 10-foot wide sanitary sewer easement at 6900 Calmont Avenue dedicated to the City of Fort Worth by Green Oaks Corporation needed for the construction, operation and maintenance of a sanitary sewer main. It was the consensus of the City Council that the recommendation be adopted.

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| L-13395
Conveyance of
Permanent
Pipeline
Easements | There was presented Mayor and Council Communication No. L-13395 from the City Manager recommending that the City Council authorize the conveyance of two permanent pipeline easements described as J. F. Wheat Survey, Abstract No. 1695, Block 4, and J. Childress Survey, Abstract No. 251, Part of Block 1, both of Village Creek Plant Addition to Renovar Energy Corporation for a total cost of \$10.00 for the installation of an underground pipe to serve the Village Creek Wastewater Treatment Plant; and authorize the City Manager to execute the appropriate instruments. It was the consensus of the City Council that the recommendation be adopted. |
| L-13396
Permanent
Water Main
Easement &
Temporary
Construction
Easement | There was presented Mayor and Council Communication No. L-13396 from the City Manager recommending that the City Council approve the acquisition and acceptance of one permanent water main easement and one temporary construction easement described as part of P. Caldwell Survey, Abstract No. 363, Juan Armendaris Survey, Abstract No. 1767, Tarrant County, Texas, required for the Southside III 36-inch Water Main Project (DOE 3416) from TLH Realty Investments, Ltd. for a cost of \$40,100.00, plus estimated closing costs of \$1,000.00, for a total cost of \$41,100.00. It was the consensus of the City Council that the recommendation be adopted. |
| L-13397
Lease Office
Space | There was presented Mayor and Council Communication No. L-13397 from the City Manager recommending that the City Council authorize the City Manager to execute a lease agreement with Colorado Magnolia, L.P. for approximately 5,208 square feet of office space located at 1000 Magnolia Avenue, Suites C and D, for a cost of \$52,800.00 per year; and authorize the agreement to begin September 1, 2002, and expire August 31, 2003, with four additional one-year options to renew. It was the consensus of the City Council that the recommendation be adopted. |
| L-13398
Sale of Tax
Foreclosure
Property | There was presented Mayor and Council Communication No. L-13398 from the City Manager recommending that the City Council authorize the sale of tax foreclosure property described as Lot 8, Block A, Ocie Speer Addition (923 Beach Street) to the Fort Worth Independent School District (FWISD) in accordance with Section 34.05 of the Texas Tax Code; and authorize the City Manager to execute an appropriate deed conveying the property to the FWISD, and record the deed. |

Council Member Moss informed Council that he had a conflict with this issue, he had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting.

Mayor Pro tempore McCloud made a motion, seconded by Council Member Picht, that the recommendation be adopted. The motion carried by the following vote:

**AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Picht, Wentworth, and Davis**

NOES: None

ABSENT: None

NOT VOTING: Council Member Moss

**PZ-2413
Ord. #15224
Annexation of
Approximately
171.805 Acres of
Land in Texas &
Pacific Railroad
Company No. 29
Survey, and
Alexander,
Crain, Harris &
Brooks Survey
(AX-02-0004)**

There was presented Mayor and Council Communication No. PZ-2413 from the City Manager recommending that the City Council approve Ordinance No. 15224 declaring certain findings; providing for the extension of certain boundary limits of the City of Fort Worth; providing for the annexation of a certain 171.805 acres (.268 square miles) of land, more or less, out of the Texas & Pacific Railroad Company No. 29 Survey, Abstract No. 1568 and the Alexander, Crain, Harris & Brooks Survey, Abstract No. 55, Tarrant County, Texas, being a portion of that same tract of land (Tract I) as described in deed to Hicks Road Investors, Ltd., (Case No. AX-02-0004), which said territory lies adjacent to and adjoins the present corporate boundary limits of Fort Worth, Texas; providing that the territory annexed shall bear its pro rata part of taxes; providing that the inhabitants thereof shall have all the privileges of all the citizens of Fort Worth, Texas; providing that this ordinance shall amend every prior ordinance in conflict herewith. It was the consensus of the City Council that the recommendation be adopted.

**C-19202
Tarrant County**

There was presented Mayor and Council Communication No. C-19202, dated August 20, 2002, from the City Manager recommending that the City Council enter into an Interlocal Agreement with Tarrant County to provide mowing services along rural rights-of-way located within Precinct No. 4 for an amount not to exceed \$20,000.00. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

**C-19216
Near Southeast
Community
Development
Corporation, Inc.**

There was presented Mayor and Council Communication No. C-19216 from the City Manager recommending that the City Council:

- 1. Approve the reallocation of \$86,408.63 in the HOME Revolving Loan Fund from the 2001 program income to the Near Southeast Community Development Corporation, Inc. (NSECDC); and**
- 2. Authorize the City Manager to execute a contract with NSECDC to administer the program income funds to further housing activities in the Near Southeast area; and**
- 3. Authorize the City Manager to amend, extend and renew this contract, as needed, to achieve project goals provided the amendment, extension or renewal is within the scope of the project and in compliance with applicable laws and regulations; and**
- 4. Authorize the amendment to the City's Annual Consolidated Plans for 2001 to reflect the changes in the use of HOME funds as listed above.**

It was the consensus of the City Council that the recommendation be adopted.

**C-19217
Tarrant County**

There was presented Mayor and Council Communication No. C-19217 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Tarrant County authorizing use of the rights-of-way for various building encroachments for the Tarrant County Family Law Center. It was the consensus of the City Council that the recommendation be adopted.

**C-19218
Earth Bones,
LLC, d/b/a Retro
Cowboy**

There was presented Mayor and Council Communication No. C-19218 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Earth Bones, LLC, d/b/a Retro Cowboy authorizing use of the right-of-way for a sign located at 406 Houston Street. It was the consensus of the City Council that the recommendation be adopted.

**C-19219
Four Deuces,
Inc.**

There was presented Mayor and Council Communication No. C-19219 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Four Deuces, Inc. authorizing use of the right-of-way for an awning located at 112 East Exchange Avenue. It was the consensus of the City Council that the recommendation be adopted.

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| C-19220
Gant
Associates, Inc. | There was presented Mayor and Council Communication No. C-19220 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Gant Associates, Inc. authorizing use of the right-of-way for a sign located at 3023 South University Drive. It was the consensus of the City Council that the recommendation be adopted. |
| C-19221
Reata
Restaurants
Management
Co., Ltd. | There was presented Mayor and Council Communication No. C-19221 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Reata Restaurants Management Co., Ltd. authorizing use of the right-of-way for signs located at 310 Houston Street. It was the consensus of the City Council that the recommendation be adopted. |
| C-19222
Kimley-Horn and
Associates, Inc. | There was presented Mayor and Council Communication No. C-19222 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Kimley-Horn and Associates, Inc. for traffic signal design and traffic count data collection services in the amount of \$72,500.00. It was the consensus of the City Council that the recommendation be adopted. |
| C-19223
Change Order #3
to CSC #27204C
– AUI
Contractors, L.P. | There was presented Mayor and Council Communication No. C-19223 from the City Manager recommending that the City Council authorize the City Manager to execute Change Order No. 3 to City Secretary Contract No. 27204C with AUI Contractors, L.P. in the amount of \$221,811.30 and 31 calendar days for revisions and additions to Western Heritage Center Phase 4: Gendy Street Paving Improvements. It was the consensus of the City Council that the recommendation be adopted. |
| C-19224
Jordan Paving
Corporation | There was presented Mayor and Council Communication No. C-19224 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Jordan Paving Corporation in the amount of \$1,143,425.00 for the Sewer Main Extensions, Replacements and Relocations Contract 2002A. It was the consensus of the City Council that the recommendation be adopted. |

**C-19225
Tarrant County** There was presented Mayor and Council Communication No. C-19225 from the City Manager recommending that the City Council authorize the City Manager to enter into an Interlocal Agreement between the City of Fort Worth and Tarrant County for the purpose of providing rabies control in the unincorporated areas of Tarrant County from October 1, 2002, until September 30, 2003. It was the consensus of the City Council that the recommendation be adopted.

**C-19226
Tarrant County
Municipalities** There was presented Mayor and Council Communication No. C-19226 from the City Manager recommending that the City Council authorize the City Manager to accept and execute Interlocal Agreements between the City of Fort Worth and other Tarrant County municipalities for the purpose of rabies control and rabies specimen shipment of October 1, 2002, through September 30, 2003. It was the consensus of the City Council that the recommendation be adopted.

**C-19227
Ord. #15225
TNRCC** There was presented Mayor and Council Communication No. C-19227 from the City Manager recommending that the City Council:

1. Authorize the City Manager to execute an interlocal agreement with the Texas Natural Resource Conservation Commission (TNRCC), or its successor agency, for the continued operation of local air pollution monitoring sites for the period beginning September 1, 2002, through August 31, 2004; and
2. Adopt Appropriation Ordinance No. 15225 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$104,000.00 upon receipt of the grant, for the purpose of operating local air pollution monitoring sites.

It was the consensus of the City Council that the recommendation be adopted.

**C-19228
Ord. #15226
TNRCC** There was presented Mayor and Council Communication No. C-19228 from the City Manager recommending that the City Council:

1. Authorize the City Manager to execute an interlocal agreement with the Texas Natural Resource Conversation Commission (TNRCC), or its successor agency, to operate three continuous air monitoring stations for the period of September 1, 2002, through August 31, 2003; and

- 2. Adopt Appropriation Ordinance No. 15226 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$60,000.00 upon receipt of the grant, for the purpose of operating three continuous air monitoring stations.**

It was the consensus of the City Council that the recommendation be adopted.

C-19229 Change Order #2 to CSC #27071 – Eagle Contracting, L.P.	There was presented Mayor and Council Communication No. C-19229 from the City Manager recommending that the City Council authorize the City Manager to execute Change Order No. 2 to City Secretary Contract No. 27071 with Eagle Contracting, L.P. in the amount of \$114,895.00, thereby increasing the contract amount to \$16,431,977.21. It was the consensus of the City Council that the recommendation be adopted.
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C-19230 M. A. Vinson Construction Company, Inc.	There was presented Mayor and Council Communication No. C-19230 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with M. A. Vinson Construction Company, Inc. in the amount of \$74,975.00 for the construction of playground improvements at Arnold Park. It was the consensus of the City Council that the recommendation be adopted.
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C-19231 Change Order #2 to CSC #27525 – Carter Construction Company	There was presented Mayor and Council Communication No. C-19231 from the City Manager recommending that the City Council authorize the City Manager to execute Change Order No. 2 to City Secretary Contract No. 27525 with Carter Construction Company in the amount of \$170,466.00 for additional work for the West Community Park project. It was the consensus of the City Council that the recommendation be adopted.
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Public Hearing 1825 Carver Avenue – Continued until October 1, 2002	Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that appellant be granted a thirty day extension and the public hearing for Appeal of the Order of the Building Standards Commission regarding 1825 Carver Avenue be continued until October 1, 2002. The motion carried unanimously.
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Public Hearing 1808 Portland Street – Continued until October 1, 2002	Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that appellant be granted a thirty day extension and the public hearing for Appeal of the Order of the Building Standards Commission regarding 1808 Portland Street be continued until October 1, 2002. The motion carried unanimously.
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Budget Hearing It appeared to the City Council that they set today as the date for the hearing in connection with the proposed Fiscal Year 2002-2003 Appropriation Ordinance and Ad Valorem Tax Levy Ordinances. Mayor Barr asked if there was anyone present desiring to be heard.

There being no one else present desiring to be heard in connection with the proposed Fiscal Year 2002-2003 Appropriation Ordinance and Ad Valorem Tax Levy Ordinances, Mayor Barr stated that the hearing would remain open until the final adoption of the budget.

Zoning Hearing It appeared to the City Council that Notice of Public Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896, and that notice of the hearing had been given by publication in the Commercial Recorder, the official newspaper of the City of Fort Worth, on August 17, 2002. Mayor Barr asked if there was anyone present desiring to be heard.

**ZC-002-156
Approved** Council Member Lane made a motion, seconded by Council Member Wentworth, that the application of Scott Homes, L.L.C. for a change in zoning of property located south of the 3000-3800 Blocks of Bond Ranch West from "Unzoned" to "A-10" One-Family and "A-21" One-Family, Zoning Docket No. ZC-002-156, be approved. The motion carried unanimously.

There being no one present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Lane made a motion, seconded by Council Member Wentworth, that the hearing be closed and that the following ordinance be adopted:

ORDINANCE NO. 15227

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously.

Mayor Barr informed the listening audience that the City would conduct a Budget Study Session, September 5, 2002, at 2:00 p.m. in the Pre-Council Chamber.

Adjournment

There being no further business, the meeting was adjourned at 7:15 p.m.